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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,076	04/25/2001	Peter Schweitzer	STZ	7590

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EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 03/19/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/842,076

Applicant(s)

SCHWEITZER, PETER

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings were received on 8/9/2001 (paper no. 3) and 7/30/2001 (paper no. 5). These drawings are acceptable.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 8/24/2001 (paper no. 4) has been considered.

### ***Claim Rejections - 35 USC § 112***

3. Claims 8, 17, 30-31 and 39-40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In this case, the specification, as well as the drawings, fails to disclose the switching equipment being operable to transmit the emergency ring pattern at different times for different groups of the subscriber lines and to transmit a ring pattern being performed by multiplexing the emergency ring pattern in order to ring different lines in the same time period with a different phase so that it raises doubt as to possession of the claimed invention at the time of filing.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2 and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith (US PAT. 5,166,972).

Regarding claim 1, Smith discloses switching equipment for a switched telephone network comprising a switch (3, figure 1) operating in the switched telephone network and operable to establish telephonic communications between callers and called parties over a hunt group (i.e., a predetermined number of subscriber lines) and transmit a distinctive ringing pattern over a majority of the hunt group in response to a predetermined pilot number (i.e., a single command event), wherein the distinctive ringing pattern distinguishes between normal calls (i.e., a standard ring pattern) and an emergency call (col. 2 line 31 through col. 3 line 38).

Regarding claim 2, Smith teaches a link to send a broadcast signal signifying the occurrence of the single command event in order to broadcast the need for a recurrence elsewhere of a response performed locally by the switch in response to the single command event (col. 3 line 39 through col. 4 line 6).

Regarding claim 7, Smith discloses an assignment data table, i.e., a database, having information about the subscriber lines, and the switching equipment being operable to send the

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emergency ring pattern to a portion of the subscriber lines from the table in response to the signal command event (col. 4 lines 33-50).

Regarding claims 8-9, Smith teaches to transmit the emergency ring pattern at different time when subscriber sets busy and to provide distinctive ring pattern for the emergency call (col. 3 lines 30-46) so that it recognizes the switching equipment being operable to transmit the emergency ring pattern at different times for different groupings of the subscriber lines and to multiplex the emergency ring pattern in order to ring in the same time period with a different phase.

Regarding claim 10, Smith teaches the subscriber lines being segregated into a queue so that the switching equipment is operated to sequentially ring individual ones of the queue exclusively before completing and sequencing to the next one of the queue (col. 3 line 65 through col. 4 line 15 and col. 5 line 55 through col. 6 line 17).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-6, 12-19, 21-23, 25-32 and 34-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US PAT. 5,166,972) in view of Vinson (US PAT 6,594,345).

Regarding claims 3-4, Smith differs from the claimed invention in not specifically teaching the link comprising a common channel signaling network coupled to the switch, which the switch is operable to transmit the broadcast signal to the link. However, Vinson teaches to utilize a common channel signaling network coupled to a service switching point (54, figure 1) to provide early disaster warning, i.e., a broadcast signal, to a link (53, figure 1) in order to effectiveness in providing the early disaster warning to telephone subscribers in predetermined geographic areas (col. 1 line 63 through col. 3 line 19). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Smith in having the link comprising a common channel signaling network coupled to the switch, which the switch is operable to transmit the broadcast signal to the link, as per teaching of Vinson, in order to effectiveness in providing the early disaster warning to telephone subscribers in predetermined geographic areas.

Regarding claims 5-6, Smith teaches the broadcast signal including information signifying a destination for the broadcast signal and information signifying an emergency type (col. 4 lines 42-50), as well as Vinson (col. 4 lines 7-46).

Regarding claim 12, Smith discloses switching equipment for a switched telephone network comprising a switch (3, figure 1) operating in the switched telephone network and operable to establish telephonic communications between callers and called parties over a hunt group (i.e., a predetermined number of subscriber lines) and transmit a distinctive ringing pattern over a majority of the hunt group in response to a predetermined pilot number (i.e., a single command event), wherein the distinctive ringing pattern distinguishes between normal calls (i.e., a standard ring pattern) and an emergency call (col. 2 line 31 through col. 3 line 38). Smith

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differs from the claimed invention in not specifically teaching to employ a common channel signaling network for the switched telephone network. However, Vinson teaches to utilize a common channel signaling network coupled to a service switching point (54, figure 1) to provide early disaster warning, i.e., a broadcast signal, to a link (53, figure 1) in order to effectiveness in providing the early disaster warning to telephone subscribers in predetermined geographic areas (col. 1 line 63 through col. 3 line 19). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Smith in employing the common channel signaling network for the switched telephone network, as per teaching of Vinson, in order to effectiveness in providing the early disaster warning to telephone subscribers in predetermined geographic areas.

Regarding claim 13, Smith teaches a link to send a broadcast signal signifying the occurrence of the single command event in order to broadcast the need for a recurrence elsewhere of a response performed locally by the switch in response to the single command event (col. 3 line 39 through col. 4 line 6), and Vinson teaches to send the broadcast signal over the common channel signaling network in order to effectiveness in providing the early disaster warning to telephone subscribers in predetermined geographic areas (col. 1 line 63 through col. 3 line 19). Thus, the combination of Smith and Vinson is enough to reject the claimed limitations.

Regarding claims 14-15, the limitations of the claims are rejected as the same reasons set forth in claims 5-6.

Regarding claim 16, Smith discloses an assignment data table, i.e., a database, having information about the subscriber lines, and the switching equipment being operable to send the

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emergency ring pattern to a portion of the subscriber lines from the table in response to the signal command event (col. 4 lines 33-50).

Regarding claims 17-18, Smith teaches to transmit the emergency ring pattern at different time when subscriber sets busy and to provide distinctive ring pattern for the emergency call (col. 3 lines 30-46) so that it recognizes the switching equipment being operable to transmit the emergency ring pattern at different times for different groupings of the subscriber lines and to multiplex the emergency ring pattern in order to ring in the same time period with a different phase.

Regarding claim 19, Smith teaches the subscriber lines being segregated into a queue so that the switching equipment is operated to sequentially ring individual ones of the queue exclusively before completing and sequencing to the next one of the queue (col. 3 line 65 through col. 4 line 15 and col. 5 line 55 through col. 6 line 17).

Regarding claims 21, 25 and 34, the limitations of the claims are rejected as the same reasons set forth in claim 12.

Regarding claims 22-23, the limitations of the claims are rejected as the same reasons set forth in claims 5-6.

Regarding claims 26 and 35, the limitations of the claims are rejected as the same reasons set forth in claim 13.

Regarding claims 27-28 and 36-37, the limitations of the claims are rejected as the same reasons set forth in claims 5-6.

Regarding claims 29 and 38, the limitations of the claims are rejected as the same reasons set forth in claim 16.



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Regarding claims 30-31 and 39-40, the limitations of the claims are rejected as the same reasons set forth in claims 17-18.

Regarding claims 32 and 41, the limitations of the claims are rejected as the same reasons set forth in claim 19.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US PAT. 5,166,972) in view of Harrison et al. (US PAT. 6,418,216 hereinafter Harrison).

Regarding claim 11, Smith teaches a link to send a broadcast signal signifying the occurrence of the single command event in order to broadcast the need for a recurrence elsewhere of a response performed locally by the switch in response to the single command event (col. 3 line 39 through col. 4 line 6). Smith differs from the claimed invention in not specifically teaching to send a broadcast signal signifying the occurrence of the single command to one or more cellular telephone network and PBXs. However, Harrison teaches to apply an emergency call process to other environments that are external to the PSTN including PBXs and cellular telephone network (col. 9 lines 30-54) in order to make compatible with other environments that are external to the PSTN. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Smith in sending the broadcast signal signifying the occurrence of the single command to one or more cellular telephone network and PBXs, as per teaching of Harrison, in order to make compatible with other environments that are external to the PSTN.

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9. Claims 20, 24, 33 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US PAT. 5,166,972) in view of Vinson (US PAT 6,594,345) as applied in claims above, and further in view of Harrison et al. (US PAT. 6,418,216 hereinafter Harrison).

Regarding claim 20, Smith teaches a link to send a broadcast signal signifying the occurrence of the single command event in order to broadcast the need for a recurrence elsewhere of a response performed locally by the switch in response to the single command event (col. 3 line 39 through col. 4 line 6). The combination of Smith and Vinson differs from the claimed invention in not specifically teaching to send a broadcast signal signifying the occurrence of the single command to one or more cellular telephone network and PBXs. However, Harrison teaches to apply an emergency call process to other environments that are external to the PSTN including PBXs and cellular telephone network (col. 9 lines 30-54) in order to make compatible with other environments that are external to the PSTN. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Smith and Vinson in sending the broadcast signal signifying the occurrence of the single command to one or more cellular telephone network and PBXs, as per teaching of Harrison, in order to make compatible with other environments that are external to the PSTN.

Regarding claims 24, 33 and 42, the limitations of the claims are rejected as the same reasons set forth in claim 20.

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*Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Leichner (US PAT. 6,002,748) discloses a disaster alert by telephone system for providing ringing sequence for the warning message, which is different from the conventional ringing sequence (abstract and col. 8 lines 23-27). Orwick et al. (US PAT. 6,201,856) discloses a system for emergency call notification (abstract). Goren et al. (US PAT. 6,650,746) discloses an urgency of call indication to called party through distinctive notification (abstract).

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

A handwritten signature in cursive script, appearing to read "George Eng".

George Eng  
Primary Examiner  
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